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VIZVARY, GERALD C	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/510,669	ARAZI ET AL.	
	Examiner	Art Unit	
	GERALD C. VIZVARY	3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *2/12/2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

In the amendment filed 2/12/2008, the following has occurred: claims 1, 5, 9, 10, 14 & 18-26 have been amended. Now, claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 102

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Fertik US 2001/0032163 A1.

As per claim 1 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading system comprising:

a price information cache including a multiplicity of price information items relating .to physical goods originating from more than one transaction queries posed by more than one trader from among a population of traders, each of said price information items relating to physical goods having a cached life cycle ("Commodity Classification System data is stored in multiple rows for each order. Each row contains the attribute name and all relevant attribute values, which are concatenated together and stored as a string. This represents a balance between rapid pattern matching, rapid loading and storing of

order attribute information and the need for atomicity and concurrency of attribute data storage." Fertik US 2001/0032163 A1 ¶ [0050]); and

a trading query processor operative to receive trading queries from said population of traders and to employ said price information cache in responding thereto. ("The Commodity Filter 34 works by dynamically constructing a multi-attribute SQL (Structured Query Language) query that is used to select relevant information from the database 36, or as a filter for message traffic at any point in the system 31." Fertik US 2001/0032163 A1 ¶ [0059])

As per claim 2 (Original), Fertik US 2001/0032163 A1 teaches a computerized trading system according to claim 1 and wherein said trading query processor is operative to send subqueries which relate to price information items not available in the price information cache. ("This query is composed of a number of subclauses equal to the number of attribute values processed by the Commodity Filter 34 for the view parameters on which the Trading Room is being filtered. By utilizing multiple database rows per order, storing multiple attribute values in single columns, and using a standard string fingerprinting and matching algorithm for each attribute, performance is improved significantly over standard indexed relational storage, where each order corresponds with one name-value pair stored for each attribute value it possesses." Fertik US 2001/0032163 A1 ¶ [0059])

As per claim 3 (Original), Fertik US 2001/0032163 A1 teaches a computerized trading

system according to claim 1 wherein said cached life cycle includes an indication of time-points defining at least one time periods. ("Price may be stated in a sliding scale as a function of quantity for volume discounts or as a function of time and buyer activity, and the like. Fields may be implemented in Boolean (e.g., one bit), integer, or real number values, text/character strings or other data types and structures (e.g., arrays, link strings, etc.) as appropriate." Fertik US 2001/0032163 A1 ¶ [0059])

As per claim 4 (Original), Fertik US 2001/0032163 A1 teaches a computerized trading system according to claim 3 wherein said cached life cycle includes an indication of time-points defining a plurality of time periods. ("Price may be stated in a sliding scale as a function of quantity for volume discounts or as a function of time and buyer activity, and the like. Fields may be implemented in Boolean (e.g., one bit), integer, or real number values, text/character strings or other data types and structures (e.g., arrays, link strings, etc.) as appropriate." Fertik US 2001/0032163 A1 ¶ [0059])

As per claim 5 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading system comprising:

a price information cache including a multiplicity of price information items relating to physical goods originating from more than one transaction queries posed by more than one trader from among a population of traders ("Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a

source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]); and

a trading query processor operative to receive trading queries from said population of traders and to process said trading queries not necessarily in FIFO order in order to enhance the efficiency of responding thereto. ("Each seller is assigned a unique ID within the system 31 for indicating Ask orders by that seller. A seller's orders indicate the inventory of goods that the seller is willing and able to sell." Fertik US 2001/0032163 jA1 ¶ [0051]) and ("In that case, the STMS 35 maintains an efficient real-time market that automatically matches buyers Bids and seller's Asks without the need for an end user to accept an order. The system is flexible enough not only to match directly compatible Bids and Asks (a "natural match") but allows buyers and sellers to define a range of acceptable prices and expiration times toward clearing trades. As such, the STMS 35 allows for even greater flexibility and liquidity than other systems." Fertik US 2001/0032163 A1 ¶ [0084])

As per claim 6 (Original), Fertik US 2001/0032163 A1 teaches a computerized trading system according to claim 5 wherein similar trading queries are grouped together. ("method as claimed in claim 13 wherein: the step of displaying a subset includes parsing the plurality of Bids and Asks from different buyers or sellers according to preferences of quantity and price; and the step of combining includes combining similar Bids or Asks across multiple different buyers or sellers, to form a sum total Bid or Ask

for the subject product that matches quantity specified in the received order.." Fertik US 2001/0032163 A1 Claim 15)

As per claim 7 (Original), Fertik US 2001/0032163 A1 teaches a computerized trading system according to claim 5 wherein said trading queries include at least one query to a human-operated workstation. ("c. one or more filters coupled to the receiving means and the source of information, for parsing sets of Bids and Asks for a specific Class of products such that a customized screen view for the subject Class of product is displayed and enables desired trading on the same." Fertik US 2001/0032163 A1 ¶ [0032]) and ("Preferably, the customized screen view is a Trading Room screen view displaying buyers' Bids and sellers' Asks for the subject Class of product, and the Trading Room screen view serves as the means for receiving Bids. Further, asking prices of a seller for a respective type of good include different prices as a function of time and/or as a function of trading activity for the product class. Fertik US 2001/0032163 A1 ¶ [0033])

As per claim 8 (Original), Fertik US 2001/0032163 A1 teaches a computerized trading system according to claim 5 wherein said trading queries include at least one query to an automatic computer-based information provider. ("The entered Bids or Asks are processed by a server application (of the present invention) to compare the orders, find matching orders, and assist in the rapid completion of transactions in the Marketplace either by automatically executing orders or by presenting views of orders to the users to

manually select for execution with their own orders." Fertik US 2001/0032163 A1 ¶ [0021])

As per claim 9 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading system comprising:

a shared price information cache subsystem including a multiplicity of price information items relating to physical goods originating from more than one transaction queries posed by more than one trader from among a population of competing traders ("Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]); and

a shared price information updating subsystem operative to update said shared price information cache subsystem based on information received in the context of a query and similarities between that query and other queries ("It is through this screen 32 that the user views and inputs transactions. The screen is 32 updated by the supporting technologies, namely the Commodity and Quantity Filters 34, 33 and STMS 35." Fertik US 2001/0032163 A1 ¶ [0056])

As per claim 10 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading system comprising:

a price information cache including a multiplicity of price information items relating to physical goods originating from more than one transaction queries posed by more than one trader from among a population of traders ("Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]); and

a trading query processor operative to receive trading queries from said population of traders and to employ said price information cache in responding thereto, said trading query processor employing inquiry templates built on earlier inquiries and information received in response thereto. ("This query is composed of a number of subclauses equal to the number of attribute values processed by the Commodity Filter 34 for the view parameters on which the Trading Room is being filtered. By utilizing multiple database rows per order, storing multiple attribute values in single columns, and using a standard string fingerprinting and matching algorithm for each attribute, performance is improved significantly over standard indexed relational storage, where each order corresponds with one name-value pair stored for each attribute value it possesses." Fertik US 2001/0032163 A1 ¶ [0059])

As per claim 11 (Original), Fertik US 2001/0032163 A1 teaches a computerized trading system according to claim 10 and wherein the templates are selected based on similarities between inquiry templates built on earlier inquiries and a current inquiry. ("A

method as claimed in claim 13 wherein: the step of displaying a subset includes parsing the plurality of Bids and Asks from different buyers or sellers according to preferences of quantity and price; and the step of combining includes combining similar Bids or Asks across multiple different buyers or sellers, to form a sum total Bid or Ask for the subject product that matches quantity specified in the received order." Fertik US 2001/0032163 A1 Claim 15)

As per claim 12 (Original), Fertik US 2001/0032163 A1 teaches a computerized trading system according to claim 11 wherein templates are displayed in an order depending on extent of similarity to a current inquiry. ("c. one or more filters coupled to the receiving means and the source of information, for parsing sets of Bids and Asks for a specific Class of products such that a customized screen view for the subject Class of product is displayed and enables desired trading on the same." Fertik US 2001/0032163 A1 ¶ [0032])

As per claim 13 (Original), Fertik US 2001/0032163 A1 teaches a computerized trading system according to claim 10 wherein said trading query processor is operative to identify in said inquiry templates built on earlier inquiries, information irrelevant to the current inquiry, to generate a reproduction of the inquiry template and to delete therefrom said information. ("If any orders are matching in price, the STMS 35 automatically marks the matching Bids and Asks as completed, removes the order entries from the list of active Marketplace orders, updates the transaction history

database 36 with information about the transaction, and sends notification to both of the counterparties that the transaction was completed. The comparison procedure is repeated until orders can no longer be matched, and the system 31 returns to the idle state and waits for the next event notification." Fertik US 2001/0032163 A1 ¶ [0086])

As per claim 14 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized transaction analysis method comprising:

accessing at least one relevant previous transaction relating to physical Roods, wherein relevance is a function of at least one user-defined parameter defining a proposed transaction relating to physical goods;

analyzing at least one parameter of the at least one relevant previous transaction relating .to physical goods, said at least one parameter being selected to match the at least one user- defined parameter; and

generating at least one recommendations for the proposed transaction relating to physical goods including art evaluation of the suitability of each of the at least one recommendations in view of at least one user-defined parameter. ("Fields may be implemented in Boolean (e.g., one bit), integer, or real number values, text/character strings or other data types and structures (e.g., arrays, link strings, etc.) as appropriate. Commodity Classification System data is stored in multiple rows for each order. Each row contains the attribute name and all relevant attribute values, which are concatenated together and stored as a string. This represents a balance between rapid pattern matching, rapid loading and storing of order attribute information and the need

for atomicity and concurrency of attribute data storage." Fertik US 2001/0032163 A1 ¶ [0050])

As per claim 15 (Original), Fertik US 2001/0032163 A1 teaches a computerized transaction analysis method according to claim 14 wherein said step of generating comprises generating at least one recommendation by combining a plurality of relevant previous transactions. ("As soon as a match exists between a buyer's Bid and a seller's Ask in a Trading Room the STMS 35 completes the transaction. In this embodiment, the STMS 35 is implemented as an independent Java application that uses input order sets (Trading Room views 32) and outputs sets of matched orders and the successful quantities of orders matched." Fertik US 2001/0032163 A1 ¶ [0087])

As per claim 16 (Original), Fertik US 2001/0032163 A1 teaches a computerized transaction analysis method according to claim 14 wherein said step of generating comprises adjusting for at least one parameter external to all relevant previous transactions under consideration. ("This algorithm has a second variation in the preferred embodiment, which utilizes a speed optimizing heuristic known as the "Greedy" optimization. Step 2c is modified in this variant to take as many of the Commodities in the order as are available rather than starting with 0 and trying all possible values. This optimization requires a presorted input set by quantity and then by price, but results in vastly reduced running time under most common usage." Fertik US 2001/0032163 A1 ¶ [0083])

As per claim 17 (Original), Fertik US 2001/0032163 A1 teaches a computerized trading system according to claim 1 wherein at least one cached life cycle includes:

a cached time period in which an associated price information item is valid;

a cached time period in which an associated price information is invalid;

and a cached time period in which an associated price information may be valid and may not be valid. ("Each seller is assigned a unique ID within the system 31 for indicating Ask orders by that seller. A seller's orders indicate the inventory of goods that the seller is willing and able to sell. In a "soft Ask", which is an indication of potential interest in selling some good, the good represented by the order may not be immediately available, or for some other reason, the seller is unwilling to commit to a fixed price on the open market. In the preferred embodiment, the seller's order indicates quantity, asking price and attributes from the Commodity Classification System of the Commodities. The invention system 31 formulates functional rules from these terms, including order expiration time and data rules for dynamic price changes." Fertik US 2001/0032163 A1 ¶ [0051])

As per claim 18 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading system comprising:

a price information cache including a multiplicity of price information items relating to physical goods originating from more than one transaction queries posed by more than one trader from among a population of traders, each of said price information items

relating to physical goods having a cached life cycle ("Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]); and

a trading query processor operative to receive trading queries from the population of traders including accessing the price information cache to respond as fully as possible to each trading query and sending out subqueries which relate to price information items not present in the price information cache. ("This query is composed of a number of subclauses equal to the number of attribute values processed by the Commodity Filter 34 for the view parameters on which the Trading Room is being filtered. By utilizing multiple database rows per order, storing multiple attribute values in single columns, and using a standard string fingerprinting and matching algorithm for each attribute, performance is improved significantly over standard indexed relational storage, where each order corresponds with one name-value pair stored for each attribute value it possesses." Fertik US 2001/0032163 A1 ¶ [0059])

As per claim 19 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading system comprising:

a price information cache including a multiplicity of price information items relating to physical Roods originating from more than one transaction queries posed by more than one trader from among a population of traders ("Thus the present invention provides a

computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]); and

a trading query processor operative to receive a sequence of trading queries from said population of traders and to amalgamate at least one pair of queries from among said sequence of trading queries in order to enhance the efficiency of responding thereto. ("The Quantity Filter allows, through aggregation and filtering, a Trading Room view to be created for a specific number of items. Orders are instantly and transparently combined or reduced in quantity to ensure that only valid, equivalent comparisons of orders are being presented to the end user or are being used for internal matching in the STMS." Fertik US 2001/0032163 A1 ¶ [0023]);

As per claim 20 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading method comprising:

providing a price information cache including a multiplicity of price information items relating to physical goods originating from more than one transaction queries posed by more than one trader from among a population of traders, each of said price information items relating to physical goods having a cached life cycle ("Commodity Classification System data is stored in multiple rows for each order. Each row contains the attribute name and all relevant attribute values, which are concatenated together and stored as a string. This represents a balance between rapid pattern matching, rapid loading and

storing of order attribute information and the need for atomicity and concurrency of attribute data storage." Fertik US 2001/0032163 A1 ¶ [0050]);

receiving trading queries from said population of traders ("Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]); and

employing said price information cache in responding to said trading queries received. ("In the preferred embodiment, the STMS 35 employs the rules stored in the database 36 for the sellers' and buyers' orders involved in the current Trading Room." Fertik US 2001/0032163 A1 ¶ [0087])

As per claim 21 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading method comprising:

providing a price information cache including a multiplicity of price information items relating to physical goods originating from more than one transaction queries posed by more than one trader from among a population of traders ("Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]);

receiving trading queries from said population of traders (“Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;” Fertik US 2001/0032163 A1 ¶ [0028] & [0029]); and

processing said trading queries received not necessarily in FIFO order in order to enhance the efficiency of responding thereto. (“Each seller is assigned a unique ID within the system 31 for indicating Ask orders by that seller. A seller's orders indicate the inventory of goods that the seller is willing and able to sell.” Fertik US 2001/0032163 jA1 ¶ [0051]) and (“In that case, the STMS 35 maintains an efficient real-time market that automatically matches buyers Bids and seller's Asks without the need for an end user to accept an order. The system is flexible enough not only to match directly compatible Bids and Asks (a "natural match") but allows buyers and sellers to define a range of acceptable prices and expiration times toward clearing trades. As such, the STMS 35 allows for even greater flexibility and liquidity than other systems.” Fertik US 2001/0032163 A1 ¶ [0084])

As per claim 22 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading method comprising:

providing a shared price information cache subsystem including a multiplicity of price information items relating to physical goods originating from more than one transaction queries posed by more than one trader from among a population of competing

traders("Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]); and

updating said shared price information cache subsystem based on information received in the context of a query and similarities between that query and other queries. ("It is through this screen 32 that the user views and inputs transactions. The screen is 32 updated by the supporting technologies, namely the Commodity and Quantity Filters 34, 33 and STMS 35." Fertik US 2001/0032163 A1 ¶ [0056])

As per claim 23 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading method comprising:

providing a price information cache including a multiplicity of price information items relating to physical goods originating from more than one transaction queries posed by more than one trader from among a population of traders ("Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]);

receiving trading queries from said population of traders ("Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of

Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]);

employing said price information cache in responding to said trading queries received ("A task manager process executes the rules by tracking and calculating variables (elapsed time, quantitative level of buyers' activity, quantitative level of sellers' activity) and by arriving at functional results (e.g., after the seller's predefined period of time has passed, lowering the asking price; or after the buyer's predefined period of time has passed, increasing the Bid price). As soon as a match exists between a buyer's Bid and a seller's Ask in a Trading Room the STMS 35 completes the transaction." Fertik US 2001/0032163 A1 ¶ [0087]); and

employing inquiry templates built on earlier inquiries and information received in response to said trading queries received. ("In the preferred embodiment, the STMS 35 employs the rules stored in the database 36 for the sellers' and buyers' orders involved in the current Trading Room." Fertik US 2001/0032163 A1 ¶ [0087])

As per claim 24 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized transaction analysis system comprising:

a processor operative to access at least one relevant previous transaction relating to physical goods, wherein relevance is a function of at least one user-defined parameter defining a proposed transaction relating to physical goods Commodity Classification System data is stored in multiple rows for each order. Each row contains the attribute

name and all relevant attribute values, which are concatenated together and stored as a string. This represents a balance between rapid pattern matching, rapid loading and storing of order attribute information and the need for atomicity and concurrency of attribute data storage." Fertik US 2001/0032163 A1 ¶ [0050]); and

a transaction analyzer operative to analyze at least one parameter of the at least one relevant previous transaction relating to physical goods, said at least one parameter being selected to match the at least one user-defined parameter and to generate at least one recommendations for the proposed transaction relating to physical goods including an evaluation of the suitability of each of the at least one recommendations in view of at least one user-defined parameter. ("As soon as a match exists between a buyer's Bid and a seller's Ask in a Trading Room the STMS 35 completes the transaction. In this embodiment, the STMS 35 is implemented as an independent Java application that uses input order sets (Trading Room views 32) and outputs sets of matched orders and the successful quantities of orders matched." Fertik US 2001/0032163 A1 ¶ [0087])

As per claim 25 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading method comprising:

providing a price information cache including a multiplicity of price information items relating to physical goods originating from more than one transaction queries posed by more than one trader from among a population bf traders, each of said price information items relating to physical goods having a cached life cycle ("Commodity Classification

System data is stored in multiple rows for each order. Each row contains the attribute name and all relevant attribute values, which are concatenated together and stored as a string. This represents a balance between rapid pattern matching, rapid loading and storing of order attribute information and the need for atomicity and concurrency of attribute data storage." Fertik US 2001/0032163 A1 ¶ [0050]);

receiving trading queries from the population of traders ("Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]);

accessing the price information cache to respond as fully as possible to each trading query . ("This query is composed of a number of subclauses equal to the number of attribute values processed by the Commodity Filter 34 for the view parameters on which the Trading Room is being filtered. By utilizing multiple database rows per order, storing multiple attribute values in single columns, and using a standard string fingerprinting and matching algorithm for each attribute, performance is improved significantly over standard indexed relational storage, where each order corresponds with one name-value pair stored for each attribute value it possesses." Fertik US 2001/0032163 A1 ¶ [0059]); and

sending out subqueries which relate to price information items not present in the price information cache. ("This query is composed of a number of subclauses equal to the number of attribute values processed by the Commodity Filter 34 for the view

parameters on which the Trading Room is being filtered. By utilizing multiple database rows per order, storing multiple attribute values in single columns, and using a standard string fingerprinting and matching algorithm for each attribute, performance is improved significantly over standard indexed relational storage, where each order corresponds with one name-value pair stored for each attribute value it possesses." Fertik US 2001/0032163 A1 ¶ [0059])

As per claim 26 (Currently Amended), Fertik US 2001/0032163 A1 teaches a computerized trading method comprising:

providing a price information cache including a multiplicity of price information items relating to physical goods originating from more than one transaction queries posed by more than one trader from among a population of traders ("Thus the present invention provides a computer method and apparatus for enhancing the purchase and sale of Commodities on the Internet. In the preferred embodiment, the invention apparatus includes: a. a source of information providing, i. a plurality of Asks for certain products from different sellers;" Fertik US 2001/0032163 A1 ¶ [0028] & [0029]);

receiving a sequence of trading queries from said population of traders; and

amalgamating at least one pair of queries from among said sequence of trading queries in order to enhance the efficiency of responding thereto. ("The Quantity Filter allows, through aggregation and filtering, a Trading Room view to be created for a specific number of items. Orders are instantly and transparently combined or reduced in quantity to ensure that only valid, equivalent comparisons of orders are being presented to the

end user or are being used for internal matching in the STMS." Fertik US 2001/0032163 A1 ¶ [0023])

Response to Arguments

Applicant's arguments with respect to claims 1-26 have been considered, but are moot in view of the new ground(s) of rejection.

Conclusion

1. The following is prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Lyons (US 2002/0077937 A1) teaches a method performed by a computer-implemented purchasing system which includes receiving a first user input from a seller indicating a product identification for each of a plurality of goods, and one or more pickup locations, receiving a second user input from a buyer selecting at least one of the goods and one of the pickup locations, automatically delivering the order from the purchasing system to a fulfiller having a storage area, receiving confirmation in the purchasing system that the at least one of the goods is physically present in the storage area and is available for sale, and automatically notifying the buyer that the at least one of the goods is available at a pickup location.

Kassan (US 2002/0065825) teaches a universal asset and relationship manager, allows interaction and correlation between user-based data records--which define, list and

catalogue user-based assets, comprising both physical assets and information assets--with vendor-based data records, in a manner which enables users to manage, track and service their assets for organizational, upkeep, inventory and business purposes.

Dochow (US 2002/0038237 A1) teaches a system and method provide access to a structured computer program through a website by a buyer via the Internet. The structured computer program displays a list of producers from a producer database to the buyer, receives a selected producer from the buyer, and stores the selected producer in memory. It displays a list of products from a product database, based on the selected producer, to the buyer, receives a selected product from the buyer, and stores the selected product in memory. It requests information from the buyer such as the buyer's zip code and email address, receives the zip code and email address from the buyer, and stores the zip code and email address in memory. Based on the selected product and the zip code, it selects a reseller geographically closest to the buyer from a reseller database and based on the selected producer and product it selects a cash value discount and expiration date from a discount database. Finally, it sends an electronic voucher to the buyer via email containing the selected producer and product, the reseller, the cash value discount, and the expiration date.

Tambay (US 2002/0026403 A1) teaches a system and method for conducting a liquid exchange in a commodity goods marketplace and thereby creating an associated derivatives market. The commodity goods marketplace is implemented as a product

trading center in which standardized products in a specific market segment are traded using standardized contracts. Various embodiments of the present invention may also comprise additional means of conducting product transactions and additional ancillary services supporting those transactions. An embodiment of the present invention provides computer network based systems and methods for conducting and facilitating transactions in the commodity polymer marketplace to further produce a derivatives market. The systems and methods of the present invention may be advantageously implemented as a business to business ("B2B") e-commerce site on the world wide web.

Hughes (US 2002/0023014 A1) teaches method and system for facilitating a transaction for purchasable content over an electronic network, wherein the purchasable content includes downloadable digital data. A first presence is maintained on the electronic network to which a consumer may connect. A first page is transmitted from the first presence to the consumer over the electronic network, wherein the first page includes information concerning the purchasable content. A command is received from the consumer over the electronic network indicating that the consumer wishes the transaction for the purchasable content. The consumer is automatically linked to a second presence on the electronic network in response to the command such that the second page is transmitted from the second presence to the consumer over the electronic network, and such that the consumer may complete the transaction for the purchasable content from the second presence. The first page is accessed by the

consumer in a first window and the second page is accessed by the consumer in a second window.

Macready (US 2002/0016759 A1) teaches a system which allows buyers to define their preferences and sellers to define their capabilities, then determines which trading points maximize the utility of the buyer. The system suggests trades by exploiting the flexibilities and tradeoffs encoded by both parties, thus providing win-win trades. A second level of optimization ranks the trades with all suppliers, allowing the buyer to rapidly determine the best alternatives. The system allows for rich negotiation spaces and supports continuous, discrete, and range or interval decision factors.

Serebrennikov (US 2001/0052545 A1) teaches a method and system for using a dynamically displayed bar code on a wireless device such as a cell phone or PDS, and a bar code reader to obtain a particular good and service, includes the steps of: (1) inputting a description of the good or service into the wireless device; (2) dynamically outputting a bar code corresponding to the description on the display screen of the wireless device; (3) positioning the display screen of the wireless device at a bar code reader; (4) scanning the bar code at the bar code reader; and (5) delivering the good and service in response to the scanning step. The wireless device includes location-identifying means whereby the product can be delivered to the location of the user. The system includes a database of prestored product descriptions and corresponding bar codes which is referenced by the wireless device.

Shkedy (US 6,260,024 B1) teaches a system and method for providing a global bilateral buyer-driven system for creating binding contracts by incorporating various methods of communication, commerce and security for the buyers and the sellers. Individual buyers purchase requirements are aggregated into a single collective purchase requirement and sellers are located willing to bid on the collective purchase requirement. A central controller facilitates the buyer/seller transaction by fielding binding offers from buyers, aggregating those offers into group (i.e. pooled) offers and communicating those group offers globally in a format which can be efficiently accessed and analyzed by potential sellers. This system can also effectuate performance of resulting contracts, resolve disputes arising from those contracts, and maintain billing, collection, authentication, and anonymity. The methods disclosed are applicable to any commerce situation involving buyers and sellers.

Wong (US 6,115,690) teaches a software system business-to-business Web commerce (Web business, or e-business) and automates to the greatest degree possible, in a unified and synergistic fashion and using best proven business practices, the various aspects of running a successful and profitable business. Web business and business automation are both greatly facilitated using a computing model based on a single integrated database management system (DBMS) that is either Web-enabled or provided with a Web front-end. The Web provides a window into a "seamless" end-to-end internal business process. The effect of such integration on the business cycle is

profound, allowing the sale of virtually anything in a transactional context (goods, services, insurance, subscriptions, etc.) to be drastically streamlined.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald C. Vizvary whose telephone number is 571-270-3268. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-270-4268.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ella Colbert/
Primary Examiner, Art Unit 3696

Gerald Vizvary
Patent Examiner, A.U. 3696
April 15, 2008